



City of San José

City of San José
200 East Santa Clara Street
San Jose, CA 95113

Agenda

Joint Meeting for the Rules and Open Government Committee and Committee of the Whole

Committee Members
Chappie Jones, Chair
Raul Peralez, Vice Chair
Sylvia Arenas, Member
David Cohen, Member
Dev Davis, Member

Committee Staff
Lee Wilcox, Assistant City Manager
Toni Taber, City Clerk
Nora Frimann, City Attorney
Gloria Schmanek, City Manager's Office
Henry Smith, Mayor's Office

Wednesday, January 12, 2022

2:00 PM

Virtual Meeting
<https://sanjoseca.zoom.us/j/91241177464>

Amended Agenda

AMENDED AGENDA

* COVID-19 NOTICE *

Consistent with AB 361 and City of San Jose Resolution Nos. 79485, 80237, 80266, 80290, 80323 and 80343, the Council Committee meeting will not be physically open to the public and the Committee

Members will be teleconferencing from remote locations.

How to observe the Meeting (no public comment):

- 1) Cable Channel 26,
- 2) <https://www.sanjoseca.gov/news-stories/watch-a-meeting>, or
- 3) <https://www.youtube.com/CityofSanJoseCalifornia>

How to submit written Public Comment:

- 1) By email to city.clerk@sanjoseca.gov by 9:00 a.m. the day of the meeting.

How to provide spoken Public Comment during the Committee Meeting:

1) By phone 888 475 4499. 91241177464 Click *9 to raise a hand to speak. Press *6 to unmute.
Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free)

2) By online <https://sanjoseca.zoom.us/j/91241177464>

a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.

b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.

c. When the Committee Chair calls for the item on which you wish to speak, click on “raise hand.” Speakers will be notified shortly before they are called to speak.

d. When called, please limit your remarks to the time limit allotted.

AMENDED AGENDA

• Call to Order and Roll Call

[ROGC](#) Adjourn to Closed Session
[22-015](#)

Attachments [Closed Session Agenda](#)

Regular Session

• Closed Session Report

A. City Council (City Clerk)

1. Review Final Agenda

[ROGC](#) Review January 18, 2022 Final Agenda- Cancelled
[22-007](#)

2. Review Draft Agenda

[ROGC
22-008](#)

Review January 25, 2022 Draft Agenda
a. Add New Items to Draft Agenda
b. Assign "Time Certain" to Agenda Items (if needed)
c. Review of Notice of Waiver Requirements for Agenda Items or Documents (if needed)

Attachments [Agenda](#)

B. Review of Upcoming Special Meeting Agenda(s)

C. Legislative Update

1. State
2. Federal

D. Meeting Schedules

E. The Public Record

[ROGC
22-009](#)

The Public Record for December 21, 2021 - January 6, 2022. (City Clerk)

Recommendation: Receive and file the Public Record for December 21, 2021 - January 6, 2022.

Attachments [The Public Record](#)

F. Boards, Commissions and Committees

1. Appointments
2. Work Plans & Annual Reports

G. Rules Committee Reviews, Recommendations and Approvals

Notice to the public: There will be no separate discussion of individual Consent Calendar items as they are considered to be routine and will be adopted by one motion. If a member of the Committee requests debate, separate vote or recusal on a particular item, that item may be removed from the Consent Calendar by the Chair and considered separately. The public may comment on the entire Consent Calendar and any items removed from the Consent Calendar by the Chair.

1. Consent Calendar

- a. [ROGC
22-010](#) Retroactive Approval of Summerdale Dumpster Day Sponsored by Council District 4 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Cohen)

Recommendation:

1. Retroactively approve the Summerdale Dumpster Day scheduled on January 22, 2022 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Retroactively approve and accept donations from various individuals, businesses or community groups to support the event.
3. Place the item on the January 25, 2022 Council Agenda for action.

Attachments [Memorandum from Cohen](#)

- b. [ROGC
22-011](#) Retroactive Approval of Fiesta Navideña Sponsored by Council District 5 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Carrasco)

Recommendation:

1. Retroactively approve the Fiesta Navideña scheduled on December 4, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Approve and accept donations from various individuals, businesses or community groups to support the event.
3. Place the item on the January 25, 2022 Council Agenda for action.

Attachments [Memorandum from Carrasco](#)

- c. [ROGC
22-012](#) Retroactive Approval of District 2 Events as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Jimenez)

- Recommendation:**
1. Retroactively approve the Walnut Mobile Home Park Toy Drive held on December 22, 2021 as a City Council sponsored Special Event.
 2. Retroactively approve the Southside Community Center Rotary Senior Luncheon held on December 3, 2021 as a City Council sponsored Special Event.
 3. Retroactively approve the Cottle to Lean Neighborhood Dumpster Day held on November 13, 2021 as a City Council sponsored Special Event.
 4. Approve the expenditure of District 2 office budget funds to purchase gift cards, toys and other materials for the events.
 5. Approve and accept donations from various individuals, businesses or community groups to support the events.
 6. Place the item on the January 25, 2022 Council Agenda for action.

Attachments [Memorandum from Jimenez](#)

END OF CONSENT

2. [ROGC
22-013](#) Monthly Report of Activities for December 2021. (City Auditor)

Recommendation: Approve the Auditor's Office Monthly Report of Activities for the month of December 2021.

Attachments [Memorandum](#)

H. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee
2. Neighborhood Services and Education Committee

- a. [ROGC
22-016](#) Neighborhood Services and Education Committee Work Plan. (Mayor and Arenas)

Recommendation: Approval of the Neighborhood Services and Education Committee Work Plan for the period January through June 2022 and setting its meeting schedule on the second Thursday of each month at 1:30 p.m., with the exception of the month of May setting the meeting on the third Thursday of that month at 9:00 a.m.

Attachments [Memorandum from Mayor and Arenas](#)

3. Transportation and Environment Committee
4. Public Safety, Finance and Strategic Support Committee
5. Joint Meeting of the Rules and Open Government Committee and Committee of the Whole
6. Smart Cities and Service Improvement Committee

I. Open Government

- a. [ROGC
22-014](#) Public Records Appeal - Katherine Weiland. (Police)

Recommendation:

- a. As directed by Rules Committee on 12/1/2021, accept a progress update from staff.
- b. Deny the appeal from Katherine Weiland (aka Katherine Reichenbach) regarding the City's response to her request for public records seeking records, specifically body worn camera footage, related to a complaint submitted to the San Jose Police Department's Internal Affairs Unit (number I2020-2023), related to event number 20-211-0547.
[Continued from 1/5/2022 - Item I.a (ROGC 21-892)]

Attachments [Memorandum](#)
[Appeal Letter from Katherine Weiland](#)

J. Open Forum

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the City Council.

K. Adjournment

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent services, in a positive and timely manner, and in the full view of the public. The City Code of Ethics may be viewed online.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at San José City Hall, Office of the City Clerk, 200 E. Santa Clara Street, 14th Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.

To request an accommodation or alternative format for City-sponsored meetings, events or printed materials, please call the Office of the City Clerk 408-535-1260 as soon as possible, but at least three business days before the meeting/event.

Access the video, the agenda and related reports for this meeting by visiting the City's website.